



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



SEMS DocID

644673

DEC 15, 81

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Warren V. and Selina Picillo
Warren Picillo, Jr.
Cathy Sampaio
308 South Ocean Blvd.
Pompano Beach, Florida 32562

Superfund Records Center
SITE: Picillo
BREAK: 11.9
OTHER: _____

Re: Picillo Waste Disposal Site - Coventry, Rhode Island

Dear Mr. and Mrs. Picillo, Mr. Picillo, Jr., and Ms. Sampaio:

The State of Rhode Island, under a cooperative agreement with the United States Environmental Protection Agency (EPA), will commence federally financed clean-up actions on or after December 18, 1981 at the above named site unless you or other responsible parties agree to undertake the necessary cleanup. This action is being proposed pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. §9604, at the site you either own or owned and either operate or operated in Coventry, Rhode Island. This action is based on EPA's determination that conditions at the site meet the definition of a "hazardous substance release" under Section 101 of CERCLA, 42 U.S.C. §9601.

Under Section 104 of CERCLA, the President (or his designee) is authorized to undertake removal and remedial actions at a site in order to protect the public health, welfare, and the environment, unless it is determined that such action will be done properly by an owner, operator, or other responsible party. EPA, as the designee of the President under Executive Order 12316, has determined that you are potentially responsible parties with respect to this site. Based on this determination, you have the option of undertaking necessary and appropriate response actions in lieu of federally financed clean-up actions, if this can be accomplished in a timely and acceptable manner.

Given the information currently available to us, we believe that at a minimum the following actions need to be undertaken:

- 1) Excavation and disposal of all drums remaining at the site;
- 2) Daily analysis of excavated soil;
- 3) Disposal of contaminated soil, debris, and residual materials;

- 4) Maintenance of 24-hour site security;
- 5) Establishment of an air and site safety monitoring program;
- 6) Establishment of a ground and surface water sampling program; and
- 7) Analysis of options for final site remedy.

By this letter, we request that you develop and submit to EPA a response plan and implementation schedule by which you will undertake these actions as well as any additional actions which the Agency may approve as appropriate to eliminate or mitigate the hazard.

Within 72 hours of the receipt of this letter, you should contact Mr. Lawrence Goldman, Acting Director, Enforcement Division, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Boston, Massachusetts 02203 (phone (617) 223-3478), to indicate whether or not you intend to make the submission requested above.

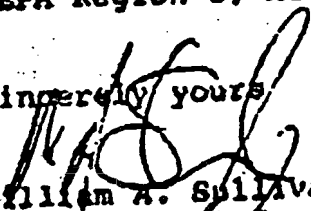
If you do agree to undertake the response measures, you should further indicate to Mr. Goldman whether you would wish to meet in the immediate future with Agency representatives to discuss what steps should be taken to accomplish the needed remedial actions.

We wish to point out to you that under Section 107 of CERCLA, you may be held liable for costs incurred by the United States Government in undertaking response activities should you decline to take the measures indicated in this letter or other measures deemed appropriate by the Agency. Failure to contact Mr. Goldman will be viewed by the Agency as a decision to decline to undertake the response measures.

The measures outlined above constitute only an initial portion of the removal and remedial actions that may be necessary at the site. If and when additional information on the extent of the problem at the site is available, we would expect to work with you to make modifications as appropriate.

If you wish to make further inquiries concerning this matter you should contact either John Hackler, EPA Region I, Chief, Office of Uncontrolled Waste Sites ((617) 223-3468) or Joel Blumstein, EPA Region I, Attorney ((617) 223-3470).

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Sincerely yours


William A. Sullivan, Jr.
Enforcement Counsel

cc: Douglas MacMillan, Acting Director
Office of Waste Programs Enforcement

William Hedeman, Director
Office of Emergency & Remedial Response

Christopher Capper, Acting Assistant Administrator
Office of Solid Waste & Remedial Response

Lester A. Sutton, Regional Administrator
U.S. EPA, Region I

Danial J. Schatz, Special Assistant Attorney General
State of Rhode Island

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